

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDWARD M. GAMBOA, JR.,)	
)	
Plaintiff,)	Civil Action No. 22-1373
)	
v.)	Judge Cathy Bissoon
)	
COMMONWEALTH OF)	
PENNSYLVANIA,)	
)	
Defendant.)	

ORDER OF DISMISSAL

Having been granted leave to proceed *in forma pauperis* (“IFP”), Plaintiff is subject to the screening provisions in 28 U.S.C. § 1915(e). See Atamian v. Burns, 236 F. App’x 753, 755 (3d Cir. 2007) (“[T]he screening procedures set forth in [Section] 1915(e) apply to [IFP] complaints filed by prisoners and non-prisoners alike.”) (citations omitted). Among other things, the screening provisions require a court to dismiss an action that is frivolous or malicious. El-Bey v. U.S., 619 F. App’x 53, 54 (3d Cir. Oct. 13, 2015).

In this case, to the extent they are intelligible, the sum total of Plaintiff’s substantive allegations are as follows:

Plaintiff asks the Court to bring criminal charges on all those in the banks of the Federal Reserve for laundering money and crypto, stealing land minerals, and acts of genocide. He has proof of fake identities being used as well as a farm. He asks the Court to grant the custody of the “Indian land inheritance” as well as the land mineral rights and the chief minister position promised by “completion of prophecy.” Plaintiff suspects the “Barr administration” should be held liable as well, the “bat cave” investigated, and the vote overturned. He seeks to take the position of the President as a declaration of taking to prevent “a war coming the American way.” Plaintiff requests damages due to sexual abuse and genocides. He further asks for the investigation of several state officials and to “take custody” with this Court’s help.

Compl. (Doc. 6) at ¶¶ V-VII; *see also* Doc. 7 (“Exhibits”).

Frivolity is “a category encompassing allegations that are fanciful, fantastic and delusional.” El-Bey, 619 F. App’x at 54 (internal quotations and ellipses omitted). A complaint may be dismissed as such “when the facts alleged rise to the level of the irrational or the wholly incredible.” *Id.* As the Court believes is self-evident, Plaintiff’s allegations fall within this category. Thus, Plaintiff’s action is **DISMISSED WITH PREJUDICE** under 28 U.S.C. § 1915(e)(2)(B).

Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that any appeal from this Order of Dismissal would not be taken in good faith.

IT IS SO ORDERED.

October 6, 2022

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

EDWARD M. GAMBOA, JR.
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